



House Bill 263 – Real Property -- Nuisance Actions – Rodent Harborage

Position: Oppose

Maryland REALTORS® opposes HB 263 which would create a private right of action for individuals seeking to control rodents. Most local governments now have programs to control rodents.

HB 263 creates a particular problem for landlords of single-family detached property, which is mostly the type of property managed by our members. In the context of a single-family detached property, an owner/landlord does not possess or control the exterior of the property. Rather the tenant would control that along with the interior of the property.

While the owner can direct the tenant to abide by local habitability requirements, and may, in fact, be pursuing action against a tenant failing to do so, the owner should not be liable for damages in court for actions in which he/she has limited control. Moreover, in some closely distanced properties, a rodent infestation of one property may be the result of a neighbor. So what one neighbor considers the root of the rodent problem may just be another victim of a rodent harborage next door to them. Just because the rodents are coming from one property does not mean that the rodents are not starting out from a different property or properties close by.

For these reasons, the Maryland REALTORS® opposes HB 263.

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